

## **HEALTH AND SAFETY SCOPE-OF-WORK LANGUAGE**

### **NOTE TO USERS**

Users of Enclosure 8 are requested to keep the following points in mind when using this generic safety and health scope of work (SOW) language:

1) This generic SOW language is provided to assist the user in drafting site-specific scopes of work tailored to specific investigative projects. The generic SOW language should be reviewed by the user and modified according to the unique requirements of the project.

2) Appendix B of ER 385-1-92, is the only part of that regulation intended to be provided to the Contractor with the SOW package. The principal text of ER 385-1-92, which delineates internal USACE HTRW responsibilities, is of no concern to the Contractor, and is NOT to be provided with the SOW package.

3) The user of the generic SOW language has the responsibility to provide the Contractor with the latest versions of the referenced USACE regulations.

4) The need for a Contractor Safety and Health Program (discussed in paragraph 1.c.(1) of the generic SOW language) is an Occupational Safety and Health Administration (OSHA) requirement for any employer engaged in HTRW work, and is not a unique USACE project specific requirement. Contractor Safety and Health Programs are required by law to already be in place. The language used in the generic SOW serves as a reminder to the Contractor of the OSHA requirement. The language does not require Contractors to develop unique Safety and Health Programs for USACE projects.

5) Paragraph 1.d. of the generic SOW language addresses ordnance and explosive waste (OEW). The language is to be utilized whenever information about the site indicates the potential presence of OEW.

**HEALTH AND SAFETY SCOPE-OF-WORK LANGUAGE  
(HTRW SITE INVESTIGATIVE ACTIVITIES)**

1. SAFETY AND HEALTH

a. General. The Contractor shall review all available site information and develop the necessary safety and health documents sufficient to protect on-site personnel, the environment, and potential off-site receptors. The Contractor shall utilize the services of qualified personnel, as defined in Appendix B of ER 385-1-92, to oversee the development and implementation of required safety and health documents.

b. Regulatory Requirements. All site investigation activities and safety and health documents required by this SOW shall comply with pertinent sections of the following regulations and reflect the following guidance publications:

(1) Federal Acquisition Regulation, F.A.R. Clause 52.236-13: Accident Prevention.

(2) U.S. Army Corps of Engineers (USACE), Safety and Health Requirements Manual, EM 385-1-1.

(3) U.S. Army Corps of Engineers (USACE), ER 385-1-92, Appendix B, Safety and Occupational Health Document Requirements for Hazardous, Toxic, and Radioactive Waste (HTRW) Activities.

(4) Nuclear Regulatory Commission Standards, 10 CFR 19 - 171.

(5) Occupational Safety and Health Administration (OSHA) General Industry Standards, 29 CFR 1910, and Construction Industry Standards, 29 CFR 1926; especially 29 CFR 1910.120 / 29 CFR 1926.65 - "Hazardous Waste Site Operations and Emergency Response".

(6) NIOSH/OSHA/USCG/EPA, "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities", October 1985. (DHHS (NIOSH) publication No.85-115)

(7) Other applicable federal, state, and local safety and health requirements.

c. Documents. The following safety and health documents are required.

(1) Safety and Health Program. The Occupational Safety and Health Administration (OSHA) requires all employers performing on-site activities at hazardous waste sites to develop and maintain an ongoing written Safety and Health Program in compliance with OSHA Standard 29 CFR 1910.120(b)/29 CFR 1926.65(b). The program, including updates, shall be made available upon request.

(2) Site Safety and Health Plan (SSHP). The SSHP required by 29 CFR 1910.120(b)(4)/29 CFR 1926.65(b)(4), and as defined by this SOW, shall be prepared and submitted. On-site activities shall not commence until the plan has been reviewed and accepted. The SSHP shall describe the site-specific safety and health procedures, practices, and equipment to be implemented and utilized in order to protect affected personnel from the potential hazards associated with the site-specific tasks to be performed. The level of detail provided in the SSHP shall be tailored to the type of work, complexity of operations to be accomplished, and hazards anticipated. The Contractor shall address all elements contained in Appendix B of ER 385-1-92 in preparing the SSHP. Where the use of a specific topic is not applicable to the project, the Contractor shall provide a negative declaration to establish that adequate consideration was given the topic, and give a brief justification for its omission. Information readily available in standard texts shall be repeated only to the extent necessary to meet the requirements of this scope. The SSHP shall not duplicate general information contained in the Safety and Health Program which is not specifically related to this project.

d. Ordnance and Explosive Waste (OEW). If explosives or chemical surety and warfare materiel (CSM/CWM), or unexploded ordnance (UXO) are discovered at any time during operations, the Contractor shall immediately stop operations in the affected area, mark the location, have all on-site personnel notified of the OEW hazard and the area's restrictions, and notify the CO. The Government will make appropriate arrangements for evaluation and proper disposal of the device(s). The SSHP shall specifically address procedures to be followed should known or potential CSM/CWM, UXO, or other such items be encountered during any phase of field work.